

## Case Conclusion Data Sheet

Name \_\_\_\_\_  
Phone \_\_\_\_\_ Date \_\_\_\_\_

02-1999-C027

## A. Case and Facility Background

1. EPA Enforcement DOCKET System Case Number (FOR ANALYST USE ONLY) 02-1994-0052
2. Court or Administrative Docket or Index Number 98 CIV. 5095 (SHS) - SOUTHERN DISTRICT OF N.Y.
3. Case Name U.S. v. NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY, ASBESTOS PRO'S, INC., et al.
- 4.(a) EPA-FINDS Facility ID No. \_\_\_\_\_ (b) EPA Program ID \_\_\_\_\_  
(If more than one facility, attach Facility Data Form)
5. Facility Name VARIOUS NEW YORK CITY PUBLIC SCHOOL BUILDINGS
6. Facility Address: (a) Street \_\_\_\_\_  
(b) City \_\_\_\_\_ (c) State \_\_\_\_\_ (d) Zip \_\_\_\_\_
- 7.(a) Primary 4-digit SIC-code \_\_\_\_\_ (b) Other 4-digit SIC-codes \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_
- 8.(a) Dun & Bradstreet Number (not applicable for CERCLA actions) \_\_\_\_\_  
(b) For CERCLA actions only: Is this site on the NPL? Yes ☒ No
- 9.(a) EPA Lead Attorney MICHAEL ARCH Phone (212) 637-3201  
(b) EPA Program Contact FRANIC SPINA Phone (212) 637-4060
10. Statute(s) / Section(s) violated CAA 112, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
(Not authorizing section or CFR.)
11. Action Type ☒ (a) Judicial consent decree or court order ☐ (e) Field Citation  
☐ (b) Administrative Penalty Order ☐ (f) Administrative Non-Penalty Order (non-Superfund)  
☐ (c) Superfund Administrative Agreement for Cost Recovery ☐ (g) Superfund Administrative Order (No Cost Recovery)  
☐ (d) Federal Facility Compliance Agreement (not incl. RCRA FFCA order)
- 12.(a) Date of Final Instrument 7/20/99 (b) DOCKET Resolution Code \_\_\_\_\_ (DEFAULT JUDGEMENT)
- 13.(a) Type Case CIV 113B (JUDICIAL ACTION) (b) Violation Type(s) NESHAP
14. Was this a Multi-Media action? Yes ☒ No If Yes, check all that apply:  
☐ M-M inspection ☐ M-M complaint ☐ M-M settlement ☐ SEP in other media
15. Was this action a National, Regional, or other special initiative? If so, identify initiative: \_\_\_\_\_
16. Was the Agency activity taken in response to Environmental Justice concerns? Yes ☒ No  
If Yes, check the appropriate category:  
☐  $\geq 25\%$  Minority Population ☐ Minority Population & Low Income  
☐  $\geq 25\%$  Low Income ☐ Other
17. Was Alternative Dispute Resolution used in this action? Yes ☒ No

## B. Compliance Actions (Non-SEP Related)

18. What action(s) did violator accomplish prior to receipt of settlement/order, or will violator take, to return to compliance or meet additional requirements? Such action(s) may be taken pursuant to explicit requirements of the case settlement, or simply in order to comply with statutory or regulatory obligations. Where separate penalty and/or compliance orders are issued in connection with the same violation(s), report the following information for only one of those orders. Select responses(s) from the following:

Use Reduction \_\_\_\_\_  
Industrial Process Change \_\_\_\_\_  
Emissions/Discharge Change \_\_\_\_\_  
(Install/Modify controls) \_\_\_\_\_  
Storage/Disposal Change \_\_\_\_\_  
Remediation \_\_\_\_\_  
Restoration \_\_\_\_\_  
Removal \_\_\_\_\_  
RD/RA \_\_\_\_\_

Testing \_\_\_\_\_  
Auditing \_\_\_\_\_  
Monitoring/Sampling \_\_\_\_\_  
Recordkeeping \_\_\_\_\_  
Labeling/Manifesting \_\_\_\_\_  
Reporting \_\_\_\_\_  
Information Letter Response \_\_\_\_\_  
Permit Application \_\_\_\_\_  
Training \_\_\_\_\_  
Provide Site Access \_\_\_\_\_  
Site Assessment \_\_\_\_\_  
RI/FS \_\_\_\_\_

No Action (Penalty Only)

Other (Please Describe) Default Judgment - Against Asbestos PRO'S

19. Cost of actions described in Item 18: (Actual cost data supplied by violator are the preferred cost figures.)  
Physical actions (Item 18, Left Column):\$ \_\_\_\_\_ Non-physical actions (Item 18, Right Column):\$ \_\_\_\_\_

**COLLECTION ACTION  
MEMORANDUM TO JUDGMENT CLERK**

U.S. DISTRICT COURTHOUSE  
500 PEARL STREET, GROUND FL.  
NEW YORK, NEW YORK 10007  
(212) 805-0145

U.S. DISTRICT COURTHOUSE  
300 QUARROPAS STREET  
WHITE PLAINS, NEW YORK 10601  
(914) 390-4100

USAO N°: SEE ATTACHMENTS DOCKET N°: 98 Civ. 5095 (SHS)

CASE TITLE: U.S. v. Asbestos Pro's Inc. JUDGMENT DATE: July 19, 1999

JUDGMENT N°: 99-1688

**PLEASE:**

- (XX) CERTIFY AND RETURN JUDGMENT LIEN(S)
- ( ) CERTIFY, SEALED & RETURN (3) COPIES OF ATTACHED:  
/ / CONSENT/DEFAULT JUDGMENT / / SATISFACTION OF JUDGMENT
- ( ) SEND COPY OF TRANSCRIPT OF JUDGMENT
- ( ) REGISTER THE ATTACHED JUDGMENT & NOTIFY FLU OF THE FOLLOWING:  
a. The docket #; b. The document #; and c. The date
- ( ) MAKE NOTE OF OUT-OF DISTRICT SATISFACTION OF JUDGMENT AND  
RETURN TRANSCRIPT OF JUDGMENT SHOWING FILED DATE FROM USDC.
- ( ) SEND COPY OF CERTIFIED CRIMINAL JUDGMENT

***PLEASE RETURN COPY(S) TO***

MARTIN J. SIEGEL.....(212) 637-2738

RECEIVED

JUL 20 1999

July 23, 1999

DATE

FLU-001 (3-03-97)

## ABSTRACT OF JUDGMENT

ORIGINAL

## NOTICE

Pursuant to Title 28, United States Code, Section 3201, this judgment, upon the filing of this abstract in the manner in which a notice of tax lien would be filed under paragraphs (1) and (2) of 26 U.S.C. §6323(f), creates a lien on all real property of the defendant(s) and has priority over all other liens or encumbrances which are perfected later in time. The lien created by this section is effective, unless satisfied, for a period of 20 years and may be renewed by filing a notice of renewal. If such notice of renewal is filed before the expiration of the 20 year period to prevent the expiration of the lien and the court approves the renewal, the lien shall relate back to the date the judgment is filed.

Names and Addresses of Parties against whom judgments have been obtained

ASBESTOS PRO'S, INC.  
397 FIFTH AVENUE  
BROOKLYN, NEW YORK 11215

Names of Parties in whose favor judgments have been obtained

UNITED STATES OF AMERICA

98 CIV. 5095 (SHS)

JUDGMENT NO: 99,1688

Amount of Judgment	Name of Creditors' Attorneys	When Docketed
\$93,000.00 (With post-judgment interest)	MARY JO WHITE UNITED STATES ATTORNEY By: MARTIN J. SIEGEL Assistant U. S. Attorney 100 CHURCH STREET, 19th Floor New York, New York 10007 Attn: Financial Litigation Unit	JULY 20, 1999

UNITED STATES OF AMERICA,

CLERK'S OFFICE

U.S. DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

SS.

I CERTIFY, That the foregoing is a correct Abstract of the Judgment entered or registered by this Court.

Date New York, New York July 26, 1999

JAMES M. PARKISON, Clerk.

By Michael R. Deputy Clerk.

84-3-1650/001



585-51

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----x  
UNITED STATES OF AMERICA,

Plaintiff,

v.

ASBESTOS PRO'S, INC.,

Defendant.  
-----x

98 Civ. 5095 (SHS)

DEFAULT JUDGMENT

# 99-1688

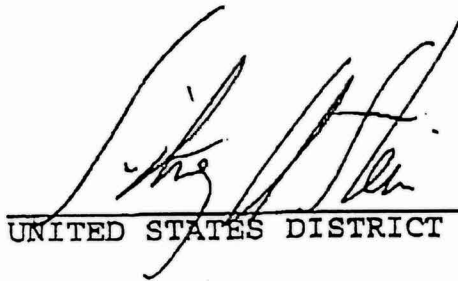
THIS ACTION having been commenced by the filing of a complaint and the issuance of a summons on July 17, 1998; and a copy of the complaint and a summons having been served on Defendant Asbestos Pro's, Inc. on September 3, 1998; and proof of such service having been filed with the Clerk of Court on September 11, 1999; and the Court, by order dated February 5, 1999, having ordered Defendant Asbestos Pro's, Inc. to retain counsel by February 19, 1999; and Defendant Asbestos Pro's, Inc. having failed to retain counsel,

NOW, upon the motion of Mary Jo White, United States Attorney for the Southern District of New York, attorney for Plaintiff, it is hereby

ORDERED AND ADJUDGED that Plaintiff have judgment by default against Defendant Asbestos Pro's, Inc. in the amount of \$93,000.00, and it is further

ORDERED AND ADJUDGED that there being no just cause for delay, the Clerk of this Court is directed to enter judgment against Defendant Asbestos Pro's, Inc. in the amount of \$93,000.00 forthwith.

Dated: New York, New York  
July 19, 1999

  
UNITED STATES DISTRICT JUDGE